EXHIBIT A

to Defendant ZeptoLab UK Limited's Motion to Dismiss Plaintiffs' Second Amended Class Action Complaint

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

Marc Opperman, et al., for themselves and all others similarly situated,

Plaintiffs,

vs.

Path, Inc., et al.,

Defendants.

Case No. 1:12-CV-00219-SS

DECLARATION OF SPARTAK ZUY IN SUPPORT OF DEFENDANT ZEPTOLAB UK LIMITED'S MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED CLASS ACTION COMPLAINT

SPARTAK ZUY, pursuant to 28 U.S.C. § 1746, declares as follows:

- My name is Spartak Zuy. I am over the age of eighteen (18) years, of sound mind, and fully capable of making this declaration. Except where stated to be upon information and belief, I have personal knowledge of the facts stated herein.
 - 2. I am a director of ZeptoLab UK Limited ("ZeptoLab").
- ZeptoLab is a United Kingdom company that maintains its headquarters and principal place of business in London, United Kingdom.
- 4. ZeptoLab is the owner of intellectual property pertaining to the game application entitled Cut the Rope. The business of ZeptoLab is to license that intellectual property to other corporations for exploitation.
- The Cut the Rope game application was first released for Apple's iOS devices (such as iPhones) on or around October 4, 2010.
 - 6. ZeptoLab maintains no offices in Texas, or anywhere in the United States.
 - ZeptoLab does not own or lease any property in Texas, or anywhere in the United

Page 1 of 2

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Case 1:12-cv-00219-SS Document 110-1 Filed 09/28/12 Page 3 of 3

States.

ZeptoLab has no bank accounts in Texas.

ZeptoLab pays no taxes in Texas.

ZeptoLab is not registered to do business in Texas.

11. ZeptoLab does not have an agent for service of process in Texas.

12. ZeptoLab does not have any officers or employees in Texas.

13. ZeptoLab does not directly sell the Cut the Rope game application to any

consumer in Texas (or anywhere else in the world, for that matter). In fact, ZeptoLab does not

directly sell any product whatsoever to any consumer anywhere in the world.

14. An entity that is unrelated to ZeptoLab called Chillingo Ltd. is the publisher of

the Cut the Rope game application. Upon information and belief, Chillingo Ltd. is a United

Kingdom company.

15. Upon information and belief, Chillingo Ltd. has contracted with Apple Inc.

("Apple") to allow for the Cut the Rope game application to be sold through Apple's iTunes

Store. Individual consumers purchase the Cut the Rope game application from Chillingo Ltd.

through Apple's iTunes Store.

16. I declare under penalty of perjury under the laws of the United States of America

that the foregoing is true and correct.

Executed on:

September 28, 2012

London, United Kingdom

Spartak Zuy